

DECLARATION FOR PATENT APPLICATION

☒ Original

☐ Supplemental

☐ Substitute

☐ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Entertainment and Computer Coaxial Network and Method of Distributing Signals Therethrough

(Title of the Invention)

the specification of which (check one)

☒ is attached hereto

☐ was filed on

as U. S. Application Serial Number or PCT

International Application Number

and was amended

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications			Priority Claimed		Copy Attached	
Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	YES	NO	YES	NO

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Parent Application Number	Filing Date	Status (Mark Appropriate Column Below)		
		Patented	Pending	Abandoned
60/107,681	11/9/98		X	

As a named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

FIRM NAME: KILPATRICK STOCKTON LLP, 4101 Lake Boone Trail, Suite 400, Raleigh, NC 27607-6519.

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Edwina Thomas Washington	43,187
R. Todd Morgan	P-43,815
Camilla Camp Williams	P-43,992

I acknowledge the above-listed attorneys and agents and their firm Kilpatrick Stockton LLP represent my employer (if I am an employee and this application has been or will be assigned to my employer) or the entity with which I have contracted (if I am an independent contractor and this application has been or will be assigned to such entity) and in such cases do not represent me individually. I further acknowledge I have not established, nor will I seek to establish, any personal attorney/client relationship with Kilpatrick Stockton LLP in connection with this application and understand that, should I require legal representation, I will obtain such, at my expense, other than through Kilpatrick Stockton LLP.

Send Correspondence to: A. Jose Cortina, Esq.
Kilpatrick Stockton LLP
4101 Lake Boone Trail, Suite 400
Raleigh, NC 27607-6519

Inventors:
For:
Declaration for Patent Application
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Direct telephone calls to: A. Jose Cortina, Esq.
(919) 420-1820

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor John M. Dinwiddie
Inventor's signature *John M Dinwiddie* Date 2/15/99
Residence 122 Killingsworth Drive, Cary, North Carolina 27511
Citizenship United States of America
Post Office Address Same as above.

Full name of second inventor William Burrell Nunnery
Inventor's signature *William Burrell Nunnery* Date 2/15/99
Residence 100 Shadow Bend Lane, Cary, North Carolina 27511
Citizenship United States of America
Post Office Address Same as above.

Full name of third inventor Jack S. Chorpenning
Inventor's signature *Jack S Chorpenning* Date 2/15/99
Residence 116 Livingston Drive, Cary, North Carolina 27513
Citizenship United States of America
Post Office Address Same as above.

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
33213/180290

Applicant, Patentee, or Identifier: Dinwiddie, et al.
Application or Patent No.: Herewith
Filed or Issued: Herewith
Title: Entertainment and Computer Coaxial Network and Method of Distributing Signals Therethrough

I hereby state that I am

- ☐ the owner of the small business concern identified below
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern Peracom Networks, Inc.
Address of Small Business Concern 13000 Weston Parkway, Suite 105
Cary, North Carolina 27513

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of the employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

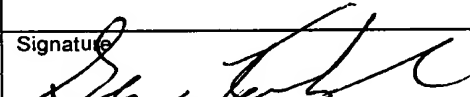
Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Name of Small Business Concern
Address of Small Business Concern

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Name of Person Signing	George Kubovcik
Title of Person if other than Owner	President
Address of Person Signing	Peracom Networks, Inc. 13000 Weston Parkway, Suite 105 Cary, North Carolina 27513
Signature 	Date 2/15/99

RALLIB01:498196.01